

1 Kate Muetting, DC Bar No. 988177\*  
2 Dacey Romberg, DC Bar No. 90003767\*  
3 Samone Ijoma, MD Bar No. 2012170086\*  
4 **SANFORD HEISLER SHARP, LLP**  
5 700 Pennsylvania Avenue SE, Suite 300  
6 Washington, DC 20003  
7 Telephone: (202) 499-5206  
8 kmuetting@sanfordheisler.com  
9 dromberg@sanfordheisler.com  
10 sijoma@sanfordheisler.com

11 Charles Field, SBN 189817  
12 **SANFORD HEISLER SHARP, LLP**  
13 7911 Herschel Avenue, Suite 300  
14 La Jolla, CA 92037  
15 Telephone: (619) 577-4252  
cfield@sanfordheisler.com

16 Kristi Stahnke McGregor, GA Bar No.  
17 674012\*  
18 (*pro hac vice forthcoming*)  
19 **SANFORD HEISLER SHARP, LLP**  
20 611 Commerce Street, Suite 3100  
21 Nashville, TN 37203  
22 Telephone: (615) 434-7008  
23 kmcggregor@sanfordheisler.com

24 Christopher Owens, MD Bar No. 220280004\*  
25 **SANFORD HEISLER SHARP, LLP**  
26 111 S. Calvert Street, Suite 1950  
27 Baltimore, Maryland 21202  
28 Telephone: (410) 834-7422  
cowens@sanfordheisler.com

29 *Attorneys for Plaintiffs  
30 and the Potential Class*

31 \*admitted *pro hac vice*

32 Mark A. Feller, SBN 319789  
33 **MORGAN, LEWIS & BOCKIUS, LLP**  
34 One Market, Spear Street Tower  
35 San Francisco, CA 94105  
36 Telephone: (415) 442-1000  
37 mark.feller@morganlewis.com

38 Melissa Hill, NY Bar No. 4968913\*  
39 **MORGAN, LEWIS & BOCKIUS, LLP**  
40 101 Park Avenue  
41 New York, NY 10178  
42 Telephone: (212) 309-6000  
43 melissa.hill@morganlewis.com

44 Sean K. McMahan, TX Bar No. 4130831\*  
45 **MORGAN, LEWIS & BOCKIUS, LLP**  
46 1717 Main Street, Suite 3200  
47 Dallas, TX 75201  
48 Telephone: (214) 466-4000  
49 sean.mcmahan@morganlewis.com

50 Jared R. Killeen, PA Bar No. 330123\*  
51 **MORGAN, LEWIS & BOCKIUS, LLP**  
52 2222 Market Street  
53 Philadelphia, PA 19103  
54 Telephone: (215) 963-5000

55 *Attorneys for Defendants X Corp.,  
56 X Holdings, and Elon Musk*

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTHERN CALIFORNIA  
SAN FRANCISCO DIVISION

COURTNEY MCMILLIAN and RONALD COOPER, on behalf of themselves and all others similarly situated,

Case No. 3:23-cv-03461-TLT

Plaintiffs,

1

X CORP., f/k/a/ TWITTER, INC.,  
X HOLDINGS, ELON MUSK, Does,

**JOINT MOTION FOR ORDER  
CLARIFYING DEADLINE FOR  
RULE 26(a)(1) INITIAL  
DISCLOSURES**

Hon. Trina L. Thompson

## Defendants.

Plaintiffs Courtney McMillian and Ronald Cooper (together, “Plaintiffs”) and Defendants X Corporation (f/k/a Twitter, Inc.), X Holdings, and Elon Musk (together, “Defendants”) (collectively, the “Parties”), through their respective undersigned counsel, jointly move this Court for an order clarifying the deadline for the Parties to exchange their Rule 26(a)(1) initial disclosures (or object to providing initial disclosures) as March 7, 2024. In support of their joint motion, the Parties state as follows:

1. On November 2, 2023, Judge Joseph C. Spero entered an order (the “Nov. 2 Order”) setting February 8, 2024, as the “[l]ast day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report[,] and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement.” Dkt. 18. The order also set the Initial Case Management Conference for March 8, 2024.

2. On November 15, 2023, this case was reassigned to Judge Trina L. Thompson. Dkt. 21. On the same date, the Court notified the Parties that the Initial Case Management Conference

Case No. 3:23-cv-03461-TLT

**JOINT MOTION FOR ORDER CLARIFYING DEADLINE FOR 26(a)(1) INITIAL  
DISCLOSURES**

would be rescheduled for March 14, 2024, and the Joint Case Management Statement would be due by March 7, 2024. Dkt. 22 (“Nov. 15 Clerk’s Notice”).

3. The Parties acknowledge that, based on the Nov. 2 Order and the Nov. 15 Clerk’s Notice, there is some confusion regarding the deadline for initial disclosures. Specifically, the Parties are unsure whether the deadline for exchanging initial disclosures (or, alternatively, stating objections to exchanging disclosures) has been changed to March 7, 2024 (per the Nov. 15 Clerk’s Notice), or remains February 8, 2024 (per the Nov. 2 Order).

4. On January 24, 2024, the Parties met and conferred regarding initial disclosures. The Parties agree that it is beneficial to exchange initial disclosures (or objections thereto) before the deadline to submit the Joint Case Management Statement and 26(f) Report. To avoid any uncertainty arising from the Nov. 2 Order and the Nov. 15 Clerk’s Notice, the Parties request that the Court enter an order clarifying the Nov. 12 Clerk’s Notice as follows:

Event	Proposed Date
Last day to complete initial disclosures or state objection in Rule 26(f) Report/Case Management Statement and file Rule 26(f) Report/Case Management Statement per Standing Order re Contents of Joint Case Management Statement	March 7, 2024

5. This request is not made for the purpose of delay or harassment, and no party will be prejudiced by the new schedule. The Parties will benefit from the Court clarifying the disclosure deadline.

DATED: January 30, 2024

Respectfully submitted,



Kate Muetting, DC Bar No. 988177

Case No. 3:23-cv-03461-TLT

**JOINT MOTION FOR ORDER CLARIFYING DEADLINE FOR 26(a)(1) INITIAL DISCLOSURES**

1 (admitted *pro hac vice*)  
2 **SANFORD HEISLER SHARP, LLP**  
3 700 Pennsylvania Avenue SE, Suite 300  
4 Washington, DC 20003  
5 Telephone: (202) 499-5206  
6 kmuetting@sanfordheisler.com  
7

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
By: /s/ Mark Feller  
Mark A. Feller, SBN 319789  
**MORGAN, LEWIS & BOCKIUS, LLP**  
One Market, Spear Street Tower  
San Francisco, CA 94105-1596  
Telephone: (415) 442-1000  
mark.feller@morganlewis.com

Case No. 3:23-cv-03461-TLT

---

**JOINT MOTION FOR ORDER CLARIFYING DEADLINE FOR 26(a)(1) INITIAL  
DISCLOSURES**